



Docket No. C018497/0106453
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Toan, Barrett et al.) Examiner: Rachel L. Porter
Assignee: Express Scripts, Inc.)
Serial No.: 09/760,113) Art Unit: 3626
Filed: January 12, 2001)
For: SYSTEM AND METHOD FOR)
OPTIMIZING BENEFIT)
PLAN DESIGNS)

October 3, 2005

RESPONSE TO FIRST OFFICE ACTION

Petition for Extension of Time Under 37 CFR § 1.136(a)

Applicant respectfully petitions for a four (4) month extension of time to respond to the outstanding Office Action issued on April 1, 2005, in the above-captioned patent application. A check for the extension fee of \$1,590.00 is enclosed. If our check is missing or otherwise insufficient, or if any additional fees are required, please charge (or credit any overpayment) to Deposit Account No. 02-4467. With this extension, the deadline for filing the required response will be October 3, 2005.

Response

In the Office Action dated April 1, 2005, the Patent Examiner referenced three publications, authored by third parties, which refer to assignee's business activities, including designing benefit plans to meet the individual needs of assignee's customers. The Examiner requested applicants to "provide any known publications, brochures, manuals, and press

releases" or other documents describing the benefit plan design services referenced in the publications.

Applicants and assignee have undertaken a good faith search and are unable to locate or identify any such documents which describe benefit plan design services or products marketed or developed by assignee prior to the filing date of this application.

The examiner is encouraged to contact the undersigned via telephone to resolve any outstanding issues.

Respectfully submitted,

By:



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